

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO
et al.,

(Jointly Administered)

Debtors.¹

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ORDER REGARDING PROCEDURES FOR JUNE 17, 2022, DISCLOSURE STATEMENT HEARING

The Court will hear oral argument in connection with the *Motion of the Puerto Rico Highways and Transportation Authority for an Order (I) Approving Disclosure Statement, (II) Fixing Voting Record Date, (III) Approving Confirmation Hearing Notice and Confirmation Schedule, (IV) Approving Solicitation Packages and Distribution Procedures, (V) Approving Forms of Ballots, and Voting and Election Procedures, (VI) Approving Notice of Non-Voting Status, (VII) Fixing Voting, Election, and Confirmation Deadlines, and (VIII) Approving Vote*

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Tabulation Procedures (Docket Entry No. 20654 in Case No. 17-3283),² the *Motion of the Puerto Rico Highways and Transportation Authority for an Order Establishing, Among Other Things, Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith* (Docket Entry No. 20655), and the *Motion for Approval of Second Amended and Restated Stipulation and Agreed Order Regarding the Disputed Funds in the HTA Bond Service Accounts, Redemption Accounts and Reserve Accounts* (Docket Entry No. 20987) (the “Hearing”) on **June 17, 2022**, from **9:30 a.m. to 12:50 p.m. (Atlantic Standard Time)**, and resume, if necessary, from **2:10 p.m. to 5:00 p.m. (Atlantic Standard Time)**. In light of the ongoing COVID-19 public health crisis, the Court will conduct the Hearing virtually using videoconferencing and telephonic platforms as set forth herein. The Hearing shall be governed by the following procedures.

Registration for Videoconference; Listen-In Facilities for Attorneys, Members of Public and Press

1. **Videoconferencing via Zoom.** The Court will conduct the Hearing using the audio and video features of the Zoom platform as a virtual courtroom. An invitation to register will be sent by the Court to attorneys who have registered their appearance by filing an Informative Motion in accordance with paragraph 3 below. A party represented by counsel shall participate in the hearing by Zoom. An individual Party not represented by counsel, who has timely filed an objection and wishes to participate, will be permitted to participate **in person** at United States District Court for the District of Puerto Rico, 150 Carlos Chardón Street, Federal Building, San Juan, Puerto Rico 00918-1767 (the “Courthouse”). Only the certified interpreter, if any, and the individual Party not represented by counsel, if any, will be permitted to attend the

² All docket entry number references are to Case No. 17-3283 unless specified otherwise.

Hearing at the Courthouse. Parties appearing by Zoom must respond to the invitation to register for Zoom access and will automatically receive the link and relevant login information to join the virtual proceeding. To optimize performance of the Zoom platform and in the interest of avoiding excessive billing of fees, the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”) and the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”) shall each be limited to four attorneys appearing in the Zoom session at any given time, and each other Party (as defined in paragraph 3(a) below) will be limited to two attorneys appearing in the Zoom session at any given time. **Only Parties who are identified in properly submitted registration documents, including a Party Appearance Sheet, will be permitted to appear at the Hearing.** All proceedings will be conducted in the English language as required by law. 48 U.S.C. § 864. If an individual Party not represented by counsel has filed a Party Appearance Sheet indicating a need for translation services, the Oversight Board is directed to arrange for a certified interpreter to be present at the Courthouse during the Hearing. Recording and retransmission of the proceedings by any means are prohibited.

2. **Listen-Only Access to the Hearing.** Attorneys, members of the public, and press may **listen to but not view or participate in** the Hearing by dialing (888) 363-4749 and entering the access code (7214978) and security code 9124 when prompted. This telephonic access line for the press and the general public will be in listen-only mode at all times. Recording and further broadcasting of the proceedings by any means remain prohibited.

3. Registration to Participate in the Hearing

a. Parties represented by counsel. Counsel for any party-in-interest (each, a “Party”) that wishes to participate in the Hearing must register an appearance by filing an Informative Motion, no later than **June 10, 2022, at 12:00 p.m. (Atlantic Standard Time)**, identifying (a) the Party for which they intend to appear, (b) the name(s) and email address(es) of

the attorney(s) who will appear, and (c) the Hearing matter(s) in connection with which the party-in-interest may wish to be heard. Counsel must annex a Party Appearance Cover Sheet (the form of which is attached as Exhibit A to this Order) as Exhibit A to the Informative Motion.

b. Parties not represented by counsel. Any individual Party not represented by counsel who wishes to participate in the Hearing must register their appearance by filing a Party Appearance Cover Sheet (the form of which is attached as Exhibit A to this Order) as Exhibit A to the Informative Motion, no later than **June 10, 2022, at 12:00 p.m. (Atlantic Standard Time)**, identifying (a) the Party name, (b) the name and email address of the individual appearing, (c) the Hearing matter in connection with which the Party may wish to be heard, and (d) whether the individual requires an interpreter. **An individual Party not represented by counsel will only be permitted to appear in person and participate in the Hearing if he or she filed a timely objection or response to a matter scheduled to be heard at the Hearing.**

c. Registration Issues. If a Party has filed an Informative Motion and has not received an invitation to register within 48 hours of the Hearing, counsel and/or pro se party may seek technical assistance by emailing promesaregistration@prd.uscourts.gov.

Pre-Hearing Filing Deadlines

4. **Party Informative Motion and Party Appearance Cover Sheet.** Counsel for any party in interest (each, a “Party”) and any individual Party not represented by counsel that wishes to participate in the Hearing must file an informative motion by **June 10, 2022, at 12:00 p.m. (Atlantic Standard Time)**. Each Informative Motion must be accompanied by a Party Appearance Cover Sheet, otherwise, the Party will not be registered to participate in the proceedings via Zoom. If a pro se party has filed a timely objection and intends to speak at the Hearing, he or she must mail (or hand deliver) the informative motion to the Clerk’s Office at the

United States District Court for the District of Puerto Rico located at 150 Ave. Carlos Chardon Suite 150, San Juan, Puerto Rico 00918, no later than **June 10, 2022**.

5. Agenda. An agenda outlining the matters to be addressed and the projected timetable shall be filed by Debtors' counsel by **June 15, 2022**, in accordance with the Sixteenth Amended Notice, Case Management and Administrative Procedures. (See Docket Entry No. 20190-1, § III.M.) The agenda shall also include a compilation of the information filed pursuant to Paragraph 4, supra, including (a) the names of the individuals who intend to appear and speak on behalf of each relevant party in connection with each of the motions, (b) the order in which the parties to the relevant motions shall present argument, and (c) time allocations for each party. Debtors' counsel shall file a revised agenda on **June 16, 2022**, if circumstances have changed or if requested to do so by the Court. Debtors' counsel shall email a proposed agenda, including preliminary time allocations, to the Court by **June 10, 2022, at 12:00 p.m. (Atlantic Standard Time)**.

6. Exhibits or Demonstratives. To the extent that a Party intends to rely on exhibits and/or demonstratives at the Hearing, it shall file a separate informative motion using the Exhibit Cover Sheet (the form of which is attached as Exhibit B to this Order) by **3:00 p.m. (Atlantic Standard Time)** on **June 10, 2022**. The informative motion must (i) include the Exhibit Cover Sheet and (ii) include each exhibit and/or demonstrative as a separate, text searchable attachment. The naming convention of each exhibit must adhere to the specifications indicated on the Exhibit Cover Sheet.

7. Courtroom Procedures. All persons granted remote access to the proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of this prohibition may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of

entry to future hearings, or any other sanctions deemed necessary by the Court. The formalities of a courtroom must be observed. When appearing by Zoom, each counsel or pro se party must be situated in such a manner as to be able to view the video screen and be seen by the Court. Each Party's camera must be turned on when addressing the Court or examining a witness (if necessary). Those appearing by Zoom may be removed from the virtual courtroom if they do not comply with this Order. During the Hearing, individuals who are registered to participate via Zoom are directed to observe the following rules:

- a. The following naming conventions must be used by Zoom participants for admission to the Zoom virtual courtroom. For example:
 - i. Attorney participants: [Party Represented (abbreviations may be used)] / [Last Name of Attorney, First Name of Attorney] / [Law Firm/Government Office].
 - a. PARTY A / Doe, John / ABC Law Firm, or
 - b. XYZ Agency/ Doe, Jane / Office of the ABC Government
 - ii. Pro se participants: Pro se / [Last Name, First Name].
 - a. For example: Pro se / Doe, Jane
- b. Identify yourself if asked to do so.
- c. Identify yourself by name each time you speak.
- d. Mute yourself when you are not speaking to eliminate background noise.
- e. Turn off your video unless you are speaking or otherwise directly involved in the argument or examination, unless the Court directs otherwise

SO ORDERED.

Dated: May 31, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge